

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DENIS RIVERA

Plaintiff,

v.

**VIRGINIA DEPARTMENT OF
CORRECTIONS, *et al.*,**

Defendant(s).

)
) Case No. 7:15CV00156
)
)
) **ORDER**
)
)
) By: Robert S. Ballou
) United States Magistrate Judge
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)

Counsel for the defendants, who recently noted an appearance as co-counsel in this case, moves for an extension of time for defendants to respond to the complaint, due to serious staffing changes and shortages at the Office of the Attorney General, Correctional Litigation Section. For good cause shown, it is now **ORDERED** that defendants' motion (ECF No. 20) is **GRANTED**, and defendants are **DIRECTED** to file their response to the complaint within 30 days from entry of this order.

Plaintiff has also filed a motion, seeking to compel counsel for the defendants to identify and waive service of process for the members of various groups named as defendants in the complaint (the "external review team," the "dual treatment team," and the "unit management team"). It is not defendants' obligation, however, to spontaneously name defendants on plaintiff's behalf from his generalized allegations about these teams and the types of officers who serve on them. Accordingly, it is **ORDERED** that plaintiff's motion to compel (ECF No. 18) is **DENIED**. Plaintiff is advised that he may submit interrogatories to an appropriate defendant or defendants to identify individual members of these teams and then he may move to amend the

complaint to name individuals as defendants, provided that he also alleges in that motion what each such defendant has allegedly done to violate his rights.

The Clerk is directed to send a copy of this order to the plaintiff and to counsel of record for the defendants.

Enter: September 11, 2015

/s/ Robert S. Ballou

Robert S. Ballou
United States Magistrate Judge